IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

Bail Appl..No. 1500 of 2007()

CRIME NO.62/07 OF S.BATHERY POLICE STATION

: PETITIONER/ACCUSED

SHANMUKHA KUMAR, S/O. KUTTY,
AGED 30, DOOR NO.13/186, MULAKKADU,
OVERY, GUDALUR, TAMILNADU.

BY ADV. SRI.N.J.ANTONY

RESPONDENTS: COMPLAINANT/STATE

---

1. SUB INSPECTOR OF POLICE,
S.BATHERY.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1500 OF 2007 B

Dated this the 13th day of March, 2007

O R D E R

Petitioner, who is the accused in Crime No.62/07 of Sulthan Bathery Police Station for an offence punishable under section 55(a) of the Abkari Act for allegedly having been transported in a bus 66.750 litres of IMFL in 89 bottles on 8.2.2007, seeks his enlargement on bail.

2. Learned Public Prosecutor opposed the application submitting, inter alia, that the IMFL in question were purchased from Pondicherry and were transported to Kerala for the purpose of sale.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This application is accordingly dismissed.

(V. RAMKUMAR, JUDGE)

aks